IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

THURSDAY, THE 11TH JANUARY 2007 / 21ST PAUSHA 1928

MFA.No. 61 of 2006()

OA.70/2000 of RAILWAY CLAIMS TRIBUNAL, ERNAKULAM
.....

APPELLANT: APPLICANT:

SHEETHALA P.M., W/O. MOHANRAJ,
ERANHALODI HOUSE, MALIKKADAVU, KARUVASSERY P.O.,
CALICUT.

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS: RESPONDENT:

UNION OF INDIA THROUGH THE
GENERAL MANAGER,SOUTH RAILWAY HEAD QUARTERS OFFICE
PARK TOWN, CHENAI-600 003.

BY ADV. SRI.SUBAL J.PAUL, SC, RAILWAYS

THIS MISC. FIRST APPEAL HAVING BEEN FINALLY HEARD ON 11/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S. RADHAKRISHNAN & M.N. KRISHNAN, JJ.

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M.F.A. NO. 61 OF 2006

and

C.M.Appln.680 of 2006

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Dated this the 11th day of January, 2007.

J U D G M E N T

Radhakrishnan, J.

C.M.Appln. 680 of 2006 is filed for condoning the delay of 492 days in filing the appeal. We have perused the affidavit filed in support of the delay condonation application. No sufficient grounds are made out to condone the delay. Further, we also notice that there is a delay of 495 days in filing the I.A. 10/04 which is an application to restore O.A.70/00 dismissed by the Tribunal on 6/9/02. The Tribunal held that no grounds are made out to entertain that application as well. On the whole, there is considerable laches on the part of the appellant in prosecuting the matter before the Tribunal as well as before this Court. In the circumstances, we are not inclined to entertain the delay condonation application. Hence, C.M.Appln. 680 of 2006 is dismissed, consequently the appeal also stands dismissed.

K.S. RADHAKRISHNAN, JUDGE.

M.N. KRISHNAN, JUDGE.

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